EXHIBIT 22

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14   **UNITED STATES DISTRICT COURT**

15   **DISTRICT OF NEVADA**

16

17 ORACLE USA, INC., a Colorado corporation;   CASE NO. 2:10-cv-0106-LRH-PAL
    ORACLE AMERICA, INC., a Delaware
18 corporation; and ORACLE INTERNATIONAL   **PLAINTIFFS ORACLE USA, INC.,**
    CORPORATION, a California corporation,   **ORACLE AMERICA, INC., AND**
19   **ORACLE INTERNATIONAL**
                  Plaintiffs,   **CORPORATION'S FIFTH SET OF**
20   v.   **INTERROGATORIES TO DEFENDANT**
                                              RIMINI STREET, INC.
21 RIMINI STREET, INC., a Nevada corporation;
    SETH RAVIN, an individual;,
22
                  Defendants.
23

24

25 PROPOUNDING PARTY: Plaintiff Oracle International Corporation

26 RESPONDING PARTY: Defendant Rimini Street, Inc.

27 SET NO.:   Five

28
                                        1
    _____
           PLAINTIFFS' FIFTH SET OF INTERROGATORIES TO DEFENDANT RIMINI STREET

1   Pursuant to Federal Rules of Civil Procedure 26 and 33, Plaintiffs hereby request that

2   Defendant Rimini Street, Inc. answer the following Interrogatories.

3

DEFINITIONS AND INSTRUCTIONS

4

5   For purposes of these Interrogatories:

6   1.   The term "Environment" means a copy of Oracle software that results from

7   installation of that software.

8   2.   The term "Identify" means to give, to the extent known, (1) the name of the item,

9   including product name and type, brand, type of media (e.g., CD), any name You assigned the

10 item, and version number where applicable; (2) the location of the item (physical location or, if

11 stored on an Identified Rimini Computer System, the network location); (3) the total quantity of

12 items; (4) the date on which You acquired or produced the item, and (5) the customer from

13 whom it was obtained and/or in whose name it was being held at the pertinent times.

14   3.   The term "Identified Rimini Computer System(s)" refers to any computer,

15 computer system, server, electronic storage environment, or network device in Rimini's

16 possession, custody, or control, including but not limited to those systems identified or

17 referenced in Rimini Street Inc.'s Responses or First Supplemental Responses to Plaintiffs' First

18 Set of Interrogatories, Nos. 6, 7, 8, 9, 10, 11 or 12.

19   4.   The term "Installation Media" refers to any CD, DVD, download, electronic file,

20 or similar item that can be or has been used to install software on Identified Rimini Computer

21 System(s).

22   5.   The term "Non-Customer Location" means any location on an Identified Rimini

23 Computer System that is not referenced to a unique Rimini customer, is not specific to a unique

24 Rimini customer, or is not exclusively used or designated for a unique Rimini customer. This

25 includes but is not limited to the following Rimini network locations: \\rsi-

26 clsvr01\client_software\PeopleSoft, \\rsi-clsvr01\internal_software\, \\rsi-

27 data01\share\client_archives_ftp.peoplesoft.com\, \\rsi-data01\share\software\oracle, \\rsi-

28 data01\share\software\PeopleSoft, and \\10.12.1.5\fileshare\software\PeopleSoft.

2

1   6.   The term "Oracle" refers the plaintiffs named in the April 19, 2010 First

2   Amended Complaint: Oracle USA, Inc., Oracle America, Inc., and Oracle International

3   Corporation any of its predecessors, successors, parents, subsidiaries, and affiliates.

4   7.   The term "Personnel" refers to past and current Rimini employees and any

5   contractors or other third parties hired by Rimini.

6   8.   The term "Response(s)" refers to Your interrogatory response(s), including any

7   amended and supplemental responses.

8   9.   The terms "Rimini," "You," and "Your" refer to Rimini Street, Inc., all of its

9   parents, subsidiaries and affiliates, and all of their present and former officers, directors, agents,

10   consultants, attorneys, employees – including Seth Ravin – or other persons acting for or on

11   behalf of any of them.

12   10.   The term "Software and Support Materials" means software applications and

13   environments, program updates, software updates, bug fixes, patches, custom solutions, and

14   instructional and knowledge base documents for any families of software products provided by

15   Oracle, including but not limited to those of the PeopleSoft, J.D. Edwards, Siebel, and Oracle

16   database families of software products.

17   11.   The term "Source" means the origin and name of all Installation Media, Software

18   and Support Materials and/or existing Environment used to create an Environment (including all

19   Sources for any predecessor iterations or versions incorporated into an Environment, if

20   applicable), and further includes (1) the network or physical location(s) of the Source at the time

21   it was used; (2) the customer from which or on whose behalf you claim to have obtained each

22   Source (and, if you obtained a Source from Oracle, the website or media from which it was

23   obtained); and (3) the identity (by name) of any other Environment used as a Source.

24   12.   Unless otherwise stated, the time period covered by these Interrogatories is the

25   time period beginning January 1, 2005. The topics are not limited to Rimini's current practices,

26   systems, and Personnel. The topics extend to practices, systems, and Personnel in place at any

27   time since January 1, 2005.

28   13.   These Interrogatories are to be considered continuing in nature, and You must

PLAINTIFFS' FIFTH SET OF INTERROGATORIES TO DEFENDANT RIMINI STREET

1   promptly furnish supplemental responses if any additional responsive information is discovered

2   or created after Your responses are tendered, or if any of Your responses are subsequently

3   determined to be incorrect, incomplete, or misleading in any respect.

4

5   **INTERROGATORIES**

6   **INTERROGATORY NO. 20:**

7   For each Environment listed on Exhibit A or contained within a virtual machine listed

8   on Exhibit A, Identify the Environment and the Source(s) from which You obtained all

9   Installation Media used to create or modify that Environment. For example, if an Environment

10 was created by cloning (copying) a previously existing Environment, which in turn was created

11 from Installation Media stored on an Identified Rimini Computer System, which in turn were

12 copied from physical Installation Media obtained directly from a specific client, the response

13 should Identify the origins, names, locations at time of use, customer(s) from which or on whose

14 behalf you claim to have obtained the materials (if applicable), and website(s) or media from

15 which you obtained the materials (if applicable) for (1) the previous Environment, (2) the

16 electronic copy of Installation Media, and (3) the physical Installation Media, and the role of

17 each in serving as a source.

18

19 **INTERROGATORY NO. 21:**

20   For each Environment that ever existed on any Identified Rimini Computer System

21 (excluding Environments listed on Exhibit A or contained within a virtual machine listed on

22 Exhibit A), including but not limited to the Environments listed on Exhibit B or contained within

23 a virtual machine listed on Exhibit B, Identify the Environment and the Source(s) from which

24 You obtained all Installation Media used to create or modify that Environment. For example, if

25 an Environment was created by cloning (copying) a previously existing Environment, which in

26 turn was created from Installation Media stored on an Identified Rimini Computer System, which

27 in turn were copied from physical Installation Media obtained directly from a specific client, the

28 response should Identify the origins, names, locations at time of use, customer(s) from which or

                                          4

1   on whose behalf you claim to have obtained the materials (if applicable), and website(s) or media

2   from which you obtained the materials (if applicable) for (1) the previous Environment, (2) the

3   electronic copy of Installation Media, and (3) the physical Installation Media, and the role of

4   each in serving as a source.

5

6   **INTERROGATORY NO. 22:**

7   For each Environment Identified in Your Responses to Interrogatories No. 20 and 21,

8   Identify the Source(s) from which You obtained all fixes, patches, updates, and other Software

9   and Support Materials (other than Installation Media) used to create or modify that Environment.

10   For example, if an Environment was modified by applying bundles from Oracle, TomorrowNow

11   and Rimini Street, the response should Identify the name, the sources and the locations of each of

12   those bundles, customer(s) from which or on whose behalf you claim to have obtained the

13   materials (if applicable), and website(s) or media from which you obtained the materials (if

14   applicable).

15

16   **INTERROGATORY NO. 23:**

17   For every Environment Identified in your Responses to Interrogatories No. 20 and 21,

18   describe each instance in which the Environment (including any Software and Support Materials

19   contained therein) was copied or used for a customer other than the specific customer, if any,

20   from which or on whose behalf You claim to have obtained the Environment. If You do not

21   claim to have obtained a particular Environment from or on behalf of a specific customer,

22   describe each instance in which that copy of that Environment (or of any Software and Support

23   Materials contained therein) was copied or used.

24

25   **INTERROGATORY NO. 24:**

26   Identify every copy of any Software and Support Material that is or has at any time

27   been stored at each Non-Customer Location, and the Non-Customer location where it was stored.

28   If any Non-Customer Locations have existed for which You cannot identify any particular

5

1   Software and Support Material stored at that location, Identify each such Non-Customer
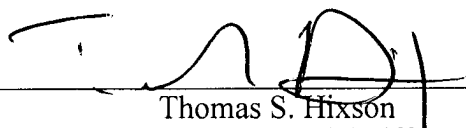
2   Location.

3

4   **INTERROGATORY NO. 25:**

5   For every copy of Software and Support Materials identified in your Response to

6   Interrogatory No. 24, describe each instance in which the copy of Software and Support

7   Materials was copied or used for a customer other than the specific customer, if any, from which

8   or on whose behalf You claim to have obtained the Software and Support Materials that was

9   copied or used. If You do not claim to have obtained a copy of Software and Support Materials

10 indentified in your Response to Interrogatory No. 24 from or on behalf of a specific customer,

11 describe each instance in which that copy of Software and Support Materials was copied or used.

12

13 DATED: May 25, 2011   Bingham McCutchen LLP

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16 By:_____
                        Thomas S. Hixson
17   Attorneys for Plaintiffs
            Oracle USA, Inc., Oracle America, Inc., and
18   Oracle International Corporation

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PLAINTIFFS' FIFTH SET OF INTERROGATORIES TO DEFENDANT RIMINI STREET

<u>PROOF OF SERVICE</u>

1

2   I am a citizen of the United States, over 18 years of age, not a party to this

3   action and employed in the County of San Francisco, California at Three Embarcadero Center,

4   San Francisco, California 94111-4067.

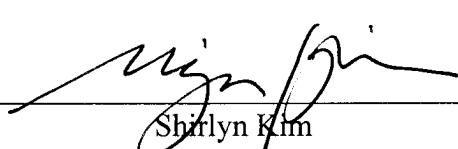5   Today I served the foregoing:

6   PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC.,
           AND ORACLE INTERNATIONAL CORPORATION'S FIFTH
7   SET OF INTERROGATORIES TO DEFENDANT RIMINI
           STREET, INC.
8

9   by causing a true and correct copy of the above to be hand delivered in a sealed envelope with all

10 fees fully paid, addressed as follows:

11   Eric Buresh, Esq.
           Shook, Hardy & Bacon L.L.P.
12   2555 Grand Blvd.
           Kansas City, Missouri 64108
13

14   I declare that I effected the service at the direction of a member of the bar of this

15 court and that this declaration was executed on May 25, 2011.

16

17 _____
                          Shirlyn Kim
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